

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re: :
Aaron Foster, Jr., : Bankruptcy No. 16-22163-CMB
Debtor(s) : Chapter 13
Aaron Foster, Jr., : Docket No. 18
Movant (s) :
v. :
Ditech Financial LLC, :
Respondent(s) :

INTERIM MORTGAGE MODIFICATION ORDER

On August 30, 2016 the above named Debtor(s) and Respondent Ditech Financial LLC (“Creditor”) entered into a trial modification (the “Trial Modification”), through the Court’s *Loss Mitigation Program* (LMP), with respect to the FIRST mortgage on the Debtor’s residence. The terms of the Trial Modification require monthly payments in the amount of \$ 498.50 (“Trial Payments”) to begin on **October 1, 2016** and to continue in that amount until **December 1, 2016** (the “Trial Modification Period”). In light of the need for an immediate change in the distribution to the Creditor, the Debtor(s) request the Court to enter this *Interim Mortgage Modification Order* until a final, permanent modification can be presented to the Court for approval.

*AND NOW, this 26th day of September 2016, for the foregoing reasons it is hereby
ORDERED, ADJUDGED and DECREED that:*

(1) The Chapter 13 Trustee is authorized and directed to modify the distributions to the above-named Creditor for the Trial Modification Period. Each Trial Payment shall be made in the

Amount of \$ 498.50 for the following months: October 2016, November 2016, December 2016.

Following the Trial Modification Period, the Chapter 13 Trustee shall continue to make distributions in the same amount as the Trial Payments until further Order of Court.

(2) In the event that a Permanent Modification is reached between the Parties, the Debtor *immediately* shall file a *Motion to Authorize the Loan Modification* in compliance with *W.PA.LBR 9020-6(d)*.

(3) The LMP Period is extended until fourteen (14) days after the expiration of the Trial Modification Period. If the Debtor has not filed a *Motion to Authorize the Loan Modification* within fourteen (14) days after the expiration of the Trial Modification Period, then the Debtor shall *immediately* file and serve either a *Motion to Extend the Loss Modification Period* pursuant to *W.PA.LBR 9020-5(b)* or a *Motion to Terminate the Loss Modification Program* pursuant to *W.PA.LBR 9020-5(c)* that sets forth the specific reasons why an agreement was not reached.

(4) Any Party may seek a further hearing regarding the amendment or termination of this *Order* at any time during the Trial Modification Period by filing an appropriate Motion.

(5) Within three (3) days of entry of this *Order*, Debtor shall serve this *Order* electronically on the Chapter 13 Trustee at the following email address: LMP@chapter13trusteewdpa.com and Debtor shall not be entitled to rely on CM/ECF or United States Mail for service of this *Order* on the Chapter 13 Trustee. The Debtor(s) Certificate of Service shall reflect service upon the above identified email address.



UNITED STATES BANKRUPTCY JUDGE

Case administrator to serve:

Debtor(s)
Counsel for Debtor(s)
[Counsel for Creditor]
Ronda J. Winnecur, Esq. Ch 13 Trustee

Certificate of Notice Page 3 of 3
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Aaron Foster, Jr.
 Debtor

Case No. 16-22163-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dric
 Form ID: pdf900

Page 1 of 1
 Total Noticed: 3

Date Rcvd: Sep 27, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2016.

db +Aaron Foster, Jr., 413 Dunbar Drive, Pittsburgh, PA 15235-5218
 14243240 +Ditech Financial LLC, c/o KML Law Group, P.C., Suite 5000-BNY Independence Center,
 701 Market Street, Philadelphia, PA 19106-1538

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 14243239 +E-mail/Text: bankruptcy.bnc@ditech.com Sep 28 2016 01:42:36 Ditech Financial LLC,
 345 St. Peter Street, Saint Paul, MN 55102-1211

TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 29, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 26, 2016 at the address(es) listed below:

Christopher M. Frye on behalf of Debtor Aaron Foster, Jr. chris.frye@steidl-steinberg.com,
 julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
 ga@steidl-steinberg.com
 Joshua I. Goldman on behalf of Creditor Ditech Financial LLC bkgroup@kmllawgroup.com
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
 Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
 ckutch@ecf.courtdrive.com;pashcroft@ecf.courtdrive.com;pghecf@bernsteinlaw.com;cabbott@ecf.courtd
 rive.com
 Ronda J. Winneccour cmeccf@chapter13trusteewdpa.com
 S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
 srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 6